

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION**

Maxwell Kremer,

Plaintiff,

v.

Reddit, Inc.,

Defendant.

No.

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1331, 1332, 1338, 1441, 1446, and 1454, defendant Reddit, Inc. (“Reddit”) hereby gives notice of removal of this action from the Circuit Court of Putnam County, Tennessee to the United States District Court for the Middle District of Tennessee. By filing this notice, Reddit does not concede any allegation, assertion, claim, or demand for relief in the Complaint of plaintiff Maxwell Kremer (“Kremer” or “Plaintiff”), or that any damages exist.

Reddit expressly denies that it has violated any alleged federal or state intellectual property laws. Reddit affirmatively states that it intends to defend this matter vigorously and reserves all defenses and objections to the allegations, assertions, claims, demands for relief, and supposed damages set forth in the Complaint.

**I. THE STATE COURT ACTION**

On August 6, 2021, Kremer commenced this action in the Circuit Court of Putnam County, Tennessee under the caption *Maxwell Kremer, Owner Simcrimecom TM v. Reddit.com*,

Case No. 2021-CV-155. *See* Ex. A (Complaint).<sup>1</sup> The Secretary of State served the Complaint no earlier than August 17, 2021.<sup>2</sup>

Kremer seeks relief based on Reddit’s alleged copyright and trademark violations. In particular, Kremer alleges that Reddit “began to display copyright and trademark on it’s [sic] business website without permission,” and “advertises it’s [sic] own ability to offer management services, as ads and media advertising, and therefore infringes on Simcrimecom by displaying the wordmark without permission.” Ex. A ¶ 5.

Kremer seeks “a judgement...for punitive damages, or for monetary compensation relief” in the amount of \$100 million dollars. Ex. A ¶ 11.

## **II. GROUNDS FOR REMOVAL**

Any civil action “of which the district courts of the United States have original jurisdiction” that is initially brought in state court may be removed to the local federal district court. 28 U.S.C. § 1441(a). Any such action asserting a claim arising under federal copyright law is additionally removable pursuant to 28 U.S.C. § 1454. Because Plaintiff’s Complaint includes a claim of copyright infringement, the action falls within this court’s exclusive jurisdiction under 28 U.S.C. § 1338(a) in addition to its federal question jurisdiction under 28 U.S.C. § 1331. This court also has jurisdiction over the action pursuant to 28 U.S.C. § 1332 on the basis of the parties’ diversity of citizenship. Reddit has satisfied all procedural requirements for removal.

### **A. Federal Jurisdiction over Copyright and Trademark Claims**

In the Complaint, Kremer claims damages and other relief “in cause by the defendant Reddit.com’s reckless infringements of: A. The copyright logo [and] B. The Tennessee

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<sup>1</sup> Kremer incorrectly refers to Defendant as “Reddit.com.”

<sup>2</sup> The Secretary of State’s “Notice of Service” is dated August 17, 2021, but Reddit received the notice by mail on or about August 30, 2021.

registered wordmark ‘Simcrimecom.’” This Court has federal jurisdiction over this copyright claim and any federal trademark claims, 28 U.S.C. §§ 1331 and 1338(a), and this Court’s jurisdiction over Plaintiff’s copyright claim is exclusive, 28 U.S.C. § 1338(a). Removal is therefore proper pursuant to both 28 U.S.C. § 1441 (which applies to actions raising claims within a federal court’s jurisdiction) as well as § 1454 (which applies to actions asserting copyright claims).

**B. This Action is also Removable on the Basis of Diversity**

Removal pursuant to 28 U.S.C. § 1441 is independently supported by the Court’s original jurisdiction over the action under the diversity jurisdiction statute, 28 U.S.C. § 1332.

Upon information and belief, Kremer is a resident and citizen of Tennessee. *See* Ex. A ¶ 1. Reddit is incorporated in Delaware and headquartered in California and is therefore a citizen of those states for the purposes of determining diversity jurisdiction. 28 U.S.C. § 1332(c)(1). Kremer is seeking \$100 million in damages in addition to injunctive relief. Ex. A ¶¶ 11-13. Accordingly, diversity jurisdiction exists because the parties are completely diverse and the amount in controversy exceeds \$75,000. 28 U.S.C. § 1332(a)(1).

**C. Supplemental Jurisdiction**

To the extent the Complaint raises any state law claims, they fall within this Court’s supplemental jurisdiction under 28 U.S.C. § 1367 because they form part of the same case or controversy, meaning the claims share a common nucleus of operative facts. *See also United Mine Workers v. Gibbs*, 383 U.S. 715, 725 (1966).

**D. Venue and Intra-District Assignment Are Proper**

The Middle District of Tennessee, Northeastern Division is the proper venue and intra-district assignment for this action upon removal because this “district and division embrac[e]”

the Circuit Court of Putnam County, Tennessee, where the Complaint was filed. *See* 28 U.S.C. § 1441(a).

#### **E. Reddit Has Satisfied All Other Requirements**

Reddit timely filed this Notice of Removal. The Tennessee Secretary of State served the Complaint no earlier than August 17, 2021. Reddit subsequently filed and served this Notice of Removal within 30 days, as required by 28 U.S.C. § 1446(b).

Further, as required by 28 U.S.C. § 1446(a), Reddit has filed with this Notice of Removal true and correct copies of all process, pleadings, and orders served upon Reddit in the state-court action. *See* Ex. B. A true and correct copy of the state court docket is attached as Exhibit C.

Finally, Reddit will promptly serve on Kremer and file with the Circuit Court a “Notice of Removal to Federal Court.” Reddit will also file with this Court a “Certificate of Service of Notice to Adverse Party of Removal to Federal Court.” 28 U.S.C. § 1446(d); *see also* Fed. R. Civ. P. 5(d).

#### **III. RESERVATION OF RIGHTS AND DEFENSES**

Reddit expressly reserves all of its defenses and rights, and none of the foregoing shall be construed as in any way conceding the truth of any of Kremer’s allegations or waiving any of Reddit’s defenses. Reddit also reserves its right to amend or supplement this Notice of Removal.

#### **IV. CONCLUSION**

For the foregoing reasons, Reddit respectfully gives notice that this action, pending against it in the Circuit Court of Putnam County, Tennessee, is removed to this United States District Court for the Middle District of Tennessee, Northeastern Division pursuant to 28 U.S.C. §§ 1331, 1332, 1338, 1441, 1446, and 1454.

*[signature appears on the following page]*

**Respectfully submitted,**

ADAMS AND REESE LLP

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*Attorney for Defendant Reddit, Inc.*

**CERTIFICATE OF SERVICE**

I certify that on September 16, 2021, I electronically filed the foregoing **NOTICE OF REMOVAL** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record.

On this date I further caused to be served on each of the persons identified below, via the delivery methods indicated below, a copy of the foregoing document:

Maxwell Kremer (pro se)  
470 #B  
Swallowschapel Rd.  
Cookeville, Tennessee 38506

___	Via the Clerk's eFiling Application
___	Via U.S. Mail, 1st Class
<u>X</u>	Via Overnight Delivery
___	Via Facsimile
___	Via Email
___	Other: _____

/s/ Jeremy D. Ray  
Jeremy D. Ray